IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 18505 of 2004

Between:

United India Insurance Co. Ltd., Rep by its Divisional Manager,
Divisional Office Rajahmundry, East Godavari District.

..... PETITIONER

AND

1 Suman Gour, W/o. Manojkumar,
Aged about 23 years
2 Kuldipak Gour, S/o. Manojkumar, aged about 3 years
3 Sweety Gour, D/o. Manojkumar, aged about 5 months
4 Kamala Devi Gour, W/o. Radhesyam Gour, aged about 55 years
(Respondents 2 and 3 being minors rep. by their natural mother
i.e. Respondent No. 1, and all are R/o. Near Supraja Hospital
Gandhaipuram, C/o. Bhara Road Lines Rajahmundry
E.G. District)
5 Pala Ramesh Babu, S/o.Narayana, aged 35 years,
Driver of Lorry No.AP9V 5870 R/o. Employees Colony,
Cheyyru Project, Chyyru Village, Rajampeta Taluk,
Cuddapah District.
6 Muralikrishna Reddy, S/o. Obul Reddi,
aged 40 years Owner of Lorry No. AP9V 5870
R/o. D.No.291, Navabpeta, Nellore.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or writs more particularly in the nature of writ of certiorari calling for the

records pertaining the Lok Adalat award passed in O.P.No. 635/2002 dated 30-8-2003 on the file of Chairman MACT cum Prl. District Judge, Rajahmundry, E.G. District and quash the same and consequently remained the case to the court of Chairman MACT cum Prl. District Judge Rajahmundry E.G. District for regular trial in the interest of justice.

Counsel for the Petitioner: MS.M.SEETHA DEVI

Counsel for the Respondents: Not present.

The Court at the stage of admission made the following ORDER:

ORDER (per the Hon'ble Sri Justice B. Sudershan Reddy):

The petitioner as well as respondents 1 to 4 alone amicably settled the dispute arising out of O.P.No.635 of 2002 resulting in the award dated 30.08.2003 on the file of Lok Adalat at Rajahmundry.

The award binds the petitioner as well as the respondents 1 to 4 herein. The rights of the petitioner, if any, to proceed against respondents 5 and 6 is in no manner affected by the award passed by the Lok Adalat under Section 20 of the Legal Services Authority Act, 1987.

In the circumstances, we find no reason on the part of the petitioner apprehending as if it cannot proceed against respondents 5 and 6 for realization of the amounts, if any, from them, on the ground that no driving licence has been granted in favour of the fifth respondent herein and therefore, the Insurance Company is not liable to pay. The remedy of the petitioner is left open.

With the above observations, the writ petition shall stand dismissed. No costs.

B. Sudershan Reddy,J

K.C. Bhanu,J

Date: 11.10.2004

va/ks

To

1. The Divisional Manager, United India Insurance Co. Ltd.,
   Divisional Office Rajahmundry, East Godavari District.

2. Two CD Copies.